

COURT ASKED TO ENJOIN

GEORGIA POWER COMPANY

Right of Eminent Domain At- Tacked in Suit Filed by Mrs. S. C. Loeb

A suit, which, if sustained, may prevent the Georgia Railway and Power company exercising the right of eminent domain, and so prevent it carrying electrical power through tower lines from Tallulah Falls and other sites to cities which will consume the power, was filed in superior court Saturday by Attorney H. A. Alexander.

The plaintiff in the case is Mrs. S. C. Loeb, and on her petition, Judge John T. Pendleton, of superior court, issued a temporary order restraining the power company from

condemning a right of way through certain property in Rome, Ga., for its power lines.

In the suit it is alleged the giant power merger, because of the manner in which it was organized, is not entitled to the right to condemn property, which it claims, and has utilized in many instances. It is charged the power company has failed to comply with certain state laws, by which public utilities, which have the right of eminent domain, are governed.

OTHER OBJECTIONS.

In addition, it is alleged the power company has failed to obtain proper certificates from the secretary of state relative to its stock transactions.

Judge Pendleton has ordered the corporation to show cause on November 15 why the injunction should not be made permanent.